

# STATE OF ALASKA

DEPARTMENT OF LAW  
OFFICE OF THE ATTORNEY GENERAL

SARAH PALIN, GOVERNOR

1031 WEST 4<sup>TH</sup> AVENUE, SUITE 200  
ANCHORAGE, ALASKA 99501-5903  
PHONE: (907)269-5190  
FAX: (907)258-0760

May 10, 2007

Ralph Winterrowd 2nd  
P.O. Box 877109  
Knik, AK 99687

RE: *Winterrowd v. Nelson, et al.*  
Case No.: 3:02-cv-00097-JKS  
AGO No: 301-03-0020

Dear Mr. Winterrowd:

As you know the court has ordered that the parties prepare a scheduling and planning report. I have drafted a report for your review. If you are satisfied with the report, please sign it and return it to me and I will file it. If you have changes that need to be made to the report, please call me or return the report to me with your changes noted.

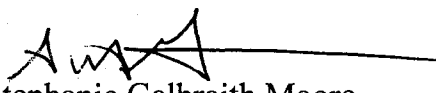
In the event you are considering not pursuing the claims in the case, please let me know in writing and I will file the report with a notice of dismissal.

The court has ordered that we file a status report by June 8, 2007. I will be out of the office that week so I plan to file it by June 1, 2007. Please respond to this before June 1, 2007. Thank you for your anticipated cooperation.

Sincerely,

TALIS J. COLBERG  
ATTORNEY GENERAL

By:

  
Stephanie Galbraith Moore  
Assistant Attorney General

SGM/hrh  
Enclosure

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TALIS J. COLBERG  
ATTORNEY GENERAL

Stephanie Galbraith Moore  
Assistant Attorney General  
Office of the Attorney General  
1031 W. 4th Ave., Suite 200  
Anchorage, Alaska 99501  
(907) 269-5190

Attorney for Defendants

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

RALPH KERMIT WINTERROWD, 2<sup>ND</sup>, )

Plaintiff, )

vs. )

BRAD L. NELSON, ET AL., )

Defendants. )

Case No.: 3:02-cv-00097-JKS

**SCHEDULING AND PLANNING  
CONFERENCE REPORT**

**1. Meeting.** In accordance with F.R.Civ.P. 26(f), a meeting was held on and was attended by: **The parties conferred through correspondence.**

**Ralph Winerrowd, Pro Se**

**Stephanie Galbraith Moore, attorney for defendants**

The parties recommend the following:

**2. Pre-Discovery Disclosures.** The information required by F.R.Civ.P. 26(a)(1):

\_\_\_ have been exchanged by the parties

X will be exchanged by the parties by **8/31/07**

\_\_\_ Proposed changes to disclosure requirements:

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Preliminary witness lists

\_\_\_ have been exchanged by the parties

X will be exchanged by the parties by 8/31/07

**3. Contested Issues of Fact and Law.** Preliminarily, the parties expect the following issues of fact and/or law to be presented to the court at trial in this matter:

**Liability and Damages**

**4. Discovery Plan.** The parties jointly propose to the court the following discovery plan.

A. Discovery will be needed on the following issues:

**Liability and Damages**

B. Disclosure or discovery of electronically stored information should be handled as follows:

C. The parties have agreed to an order regarding claims of privilege or of protection as trial preparation material asserted after production as follows:

D. All discovery commenced in time to be completed by 3/28/08

E. Limitations on Discovery.

1. Interrogatories.

X No change from Fed.R.Civ.P. 33(a)

\_\_\_ Maximum of \_\_\_ by each party to any other party.

Responses due in \_\_\_ days.

2. Requests for Admissions.

X No change from Fed.R.Civ.P. 36(a)

\_\_\_ Maximum of \_\_\_ requests.

Responses due in \_\_\_ days.

3. Depositions.

X No change from Fed.R.Civ.P. 30(a), (d).

\_\_\_ Maximum of \_\_\_ depositions by each party.

Depositions not to exceed \_\_\_ hours unless agreed to by all parties.

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F. Reports from retained experts.

☒ Not later than 90 days before the close of discovery subject to  
Fed.R.Civ.P 26(a)(2)(C).

☐ Reports due:

From plaintiff

From defendant

G. Supplementation of disclosures and discovery responses are to be made:

☐ Periodically at 60-day intervals from the entry of scheduling and planning  
order.

☒ As new information is acquired, but not later than 60 days before the close  
of discovery.

H. A final witness list, disclosing all lay and expert witnesses whom a party may  
wish to call at trial, will be due:

☒ 45 day prior to the close of discovery.

☐ Not later than

5. Pretrial Motions.

☒ No change from D.Ak. LR 16.1(c).

The following changes to D.Ak. LR 16.1(c). [Check and complete all that apply]

☒ Motions to amend pleadings or add parties to be filed not later than 8/31/07

☒ Motions under the discovery rules must be filed not later than 4/18/08

☒ Motions in limine and dispositive motions must be filed not later than 5/2/08

6. Other Provisions:

A. ☒ The parties do not request a conference with the court before entry of the  
scheduling order.

☐ The parties request a scheduling conference with the court on the following  
issue(s):

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B. Alternative Dispute Resolution. [D.Ak.LR 16.2]

X This matter is not considered a candidate for court-annexed alternative dispute resolution.

    The parties will file a request for alternative dispute resolution not later than N/A

C. The parties     do X do not consent to trial before a magistrate judge.

D. Compliance with the Disclosure Requirements of F.R.Civ.P. 7.1

    All parties have complied X Compliance not required by any party

7. Trial.

A. The matter will be ready for trial:

    45 days after the discovery close date.

X not later than 6/2/08

B. The matter is expected to take 3 days to try.

C. Jury Demanded: X Yes     No

Right to jury trial disputed?     Yes X No

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1  
2 DATED this \_\_\_\_\_ day of May, 2007, at Anchorage, Alaska.

3 TALIS J. COLBERG  
4 ATTORNEY GENERAL

5 By: \_\_\_\_\_

6 Stephanie Galbraith Moore  
7 Assistant Attorney General  
8 Office of the Attorney General  
9 1031 W. 4<sup>th</sup> Ave., Ste. 200  
10 Anchorage, AK 99501  
11 Phone: (907) 269-5190  
12 Fax: (907) 258-0760  
13 Stephanie\_Galbraith@law.state.ak.us  
14 Alaska Bar No. 8911063

15 DATED this \_\_\_\_\_ day of May, 2007, at Knik, Alaska.

16 By: \_\_\_\_\_

17 Ralph Kermit Winterrowd II, Pro Se  
18 Plaintiff  
19 P.O. Box 877109  
20 Knik, Alaska 99687  
21 Phone: (907) 357-8003  
22 Fax: (907) 357-8007

23 CERTIFICATE OF SERVICE

24 This is to certify that on this date,  
25 a copy of the foregoing  
26 Scheduling and Planning Conference Report  
is being mailed to:

Ralph K. Winterrowd, 2<sup>nd</sup>  
P.O. Box 877109  
Knik, AK 99687

\_\_\_\_\_  
Heather R. Hebdon Date

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